

Before the  
Federal Communications Commission  
Washington, DC

In the Matter of )  
 )  
Amendment of Section 202(b), )  
Table of Allotments, ) RM-  
FM Broadcast Stations )  
(Hawaiian Ocean View Estates, )  
Hawaii) )

To: Chief, Allocations Branch

RECEIVED  
MAY 14 1993  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

PETITION FOR RULEMAKING

James Stonecipher ("Stonecipher"), by his attorney,  
hereby requests that the Commission amend the Table of Allotments  
as follows:

<u>Community</u>	<u>Current</u>	<u>Proposed</u>
Hawaiian Ocean View Estates	---	273A

In support thereof, the following is stated:

As seen in the attached Technical Exhibit, the Hawaiian Ocean View Estates allotment can be made in full accord with the Commission's spacing rules. Attached hereto is a spacing study which demonstrates that Channel 273A can be made at 19° 05' 37" N, 155° 46' 43" W, which will prevent any shortspacing from occurring with any currently authorized or proposed full-power facility.

Adoption of this proposal will be in the public interest. Approval of this proposal will allow Stonecipher to provide service to members of the public in Hawaiian Ocean View Estates.

Accordingly, James Stonecipher respectfully requests that the Commission amend the FM Table of Allotments to add Channel 273A to Hawaiian Ocean View Estates, Hawaii.

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WHEREFORE, it is respectfully requested that this  
Petition be adopted, and the Commission request comment on the  
proposal contained herein.

Respectfully submitted,

JAMES STONECIPHER

By: 

Dan J. Alpert

His Attorney

1250 Connecticut Ave., NW  
#700  
Washington, DC 20036  
(202) 637-9158

May 14, 1993

PETITION FOR RULE MAKING  
MR. JAMES STONECIPHER  
ASSIGN CHANNEL 273A  
HAWAIIAN OCEAN VIEW ESTATES, HAWAII  
April 29, 1993

Technical Exhibit  
TE-1

Orchid Isle Electronics  
PO Box 416  
Kurtistown, Hawaii 96760

PETITION FOR RULE MAKING  
MR. JAMES STONECIPHER DBA  
ASSIGN CHANNEL 273A  
HAWAIIAN OCEAN VIEW ESTATES, HAWAII  
April 29, 1993

1. This Technical exhibit supports the Petition for Rule Making being filed by Mr. James Stonecipher to allot channel 273A to Hawaiian Ocean View Estates, Hawaii as its first FM allotment.

2. Once the channel is allotted to Hawaiian Ocean View Estates Mr. Stonecipher will file an application in a timely manner for a construction permit for this channel.

3. Exhibit #1 is a map of the area showing where Channel 273A can meet all of the spacing requirements of section 73.207 of the Commission's rules and provide a 3.16 mv/m signal over the entire city of Hawaiian Ocean View Estates. Exhibit #2 is an allocation tabulation (19 degrees 05' 37" North Latitude, 155 degrees 46' 43" West Longitude), demonstrating that Channel 273A can be allotted to Hawaiian Ocean View Estates.

4. Hawaii Ocean View Estates exists as a political entity in the County of Hawaii. See attached letter Exhibit #3 from the County of Hawaii Planning Department. Additionally, the U.S. Post Office has approved this location for issuance of a ZIP code. Actual issuance of a Zip code is pending.

5. Approval of this request would eventually provide aural service to approximately 2,000 persons living in the area (1990 census) including Hawaiian Ocean View Estates, Naalehu and

6. It is thereby proposed to make the following allotments:

Hawaiian Ocean View Estates

273A

Glen L. Zeigler Jr.



Consulting Engineer

April 29, 1993



EXHIBIT #2

ALLOCATION STUDY FOR HAWAIIAN OCEAN VIEW ESTATES, HAWAII

Reference	Class A	Search Date
19 degrees 05' 37" N.		4/29/93
155 degrees 46' 43" W.	Ch. 273A	

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No Co. Channel Assignments Exist within two hundred nautical miles of the proposed facility.

No 200/400/600khz removed assignments exist within two hundred miles of the proposed facility.

No 10.6/10.8 Mhz removed assignments exist within two hundred miles of the proposed facility.

Glen L. Zeigler Jr.

Consulting Engineer  
April 29, 1993



## Planning Department

County of Hawaii • 25 Aupuni Street, Room 109 • Hilo, Hawaii 96720 • (808) 961-8288

Lorraine R. Inouye  
Mayor

Norman K. Hayashi  
Director

Tad Nagasako  
Deputy Director

November 10, 1992

Mr. Glen L. Zeigler, Jr.  
Consulting Engineer  
P.O. Box 416  
Kurtistown, HI 96760

Dear Mr. Zeigler:


**Zoning Inquiry**  
**Hawaiian Ocean View Estates Subdivision**

The Hawaiian Ocean View Estates Subdivision was created via approval by the Hawaii County Planning and Traffic Commission. It is located at Kahuku, Ka'u, Hawaii.

In order to construct a small radio station within the subject subdivision, a special permit must be applied to and approved by the Hawaii County Planning Commission. Copy of the application form is enclosed for your information and use.

Should you have any further questions, please feel free to contact Masa Onuma of this office.

Sincerely,

  
NORMAN K. HAYASHI  
Planning Director

MO:lm  
7027D(1)

Enclosure

Petition For Rulemaking

James Stonecipher Exhibit 3  
April 29, 1993